

Status of

INTERNATIONAL CONVENTION FOR THE REGULATION OF WHALING

Signed at Washington under date of December 2, 1946

by Argentina, Australia, Brazil, Canada, Chile, Denmark,
France, the Netherlands, New Zealand, Norway, Peru, South Africa,
the Union of Soviet Socialist Republics, the United Kingdom of Great
Britain and Northern Ireland, and the United States of America.

Government	Date of deposit of instrument of ratification	Date of receipt of notification of adherence	Date of entry into force
Antigua and Barbuda		July 21, 1982	July 21, 1982
Argentina ⁴⁷	May 18, 1960 ¹		May 18, 1960
Australia ⁴⁵	Dec. 1, 1947		Nov. 10, 1948
Austria		May 20, 1994	May 20, 1994
Belgium		July 14, 2004	July 14, 2004
Belize ²⁹		July 15, 1982 June 17, 2003	July 15, 1982 June 17, 2003
Benin		Apr. 26, 2002	Apr. 26, 2002
Brazil ^{2, 46}	May 9, 1950	Jan. 4, 1974 ³	May 9, 1950 Jan. 4, 1974
Bulgaria		Aug. 10, 2009	Aug. 10, 2009
Cambodia		June 1, 2006	June 1, 2006
Cameroon		June 14, 2005	June 14, 2005
Chile ⁵⁶	July 6, 1979 ¹⁷		July 6, 1979
China		Sept. 24, 1980 ¹⁸	Sept. 24, 1980
Colombia		Mar. 22, 2011	Mar. 22, 2011
Congo, Rep. of		May 29, 2008	May 29, 2008
Costa Rica		May 6, 1981 ¹⁹ July 24, 1981	May 6, 1981 ¹⁹ July 24, 1981

Government	Date of deposit of instrument of ratification	Date of receipt of notification of adherence	Date of entry into force
Côte d'Ivoire		July 8, 2004	July 8, 2004
Croatia		Jan. 10, 2007	Jan. 10, 2007
Cyprus		Feb. 26, 2007	Feb. 26, 2007
Czech Republic		Jan. 24, 2005	Jan. 24, 2005
Denmark	May 23, 1950		May 23, 1950
Dominica		July 9, 1981 ²³ June 18, 1992	July 9, 1981 June 18, 1992
Dominican Republic		July 30, 2009	July 30, 2009
Ecuador ³⁵		May 2, 1991 ³³ May 10, 2007	May 2, 1991 May 10, 2007
Eritrea		Oct. 10, 2007	Oct. 10, 2007
Estonia		Jan. 7, 2009	Jan. 7, 2009
Finland ⁵⁷		Feb. 23, 1983	Feb. 23, 1983
France ⁴²	Dec. 3, 1948		Dec. 3, 1948
Gabon		May 8, 2002	May 8, 2002
The Gambia		May 17, 2005	May 17, 2005
Germany, Federal Republic of ⁴³		July 2, 1982 ²²	July 2, 1982
Ghana		July 17, 2009	July 17, 2009
Greece		May 16, 2007	May 16, 2007
Grenada		Apr. 7, 1993	Apr. 7, 1993
Guatemala		May 16, 2006	May 16, 2006
Guinea		June 21, 2000	June 21, 2000
Guinea-Bissau		May 29, 2007	May 29, 2007
Hungary		June 1, 2004	June 1, 2004
Iceland ^{34, 39, 59}		Mar. 10, 1947 Oct. 10, 2002	Nov. 10, 1948 Oct. 10, 2002

Government	Date of deposit of instrument of ratification	Date of receipt of notification of adherence	Date of entry into force
India		Mar. 9, 1981	Mar. 9, 1981
Ireland		Jan. 2, 1985	Jan. 2, 1985
Israel		June 7, 2006	June 7, 2006
Italy ⁴⁴		Feb. 12, 1998	Feb. 12, 1998
Japan ⁴		Apr. 21, 1951	Apr. 21, 1951
Kenya		Dec. 2, 1981	Dec. 2, 1981
Kiribati		Dec. 28, 2004	Dec. 28, 2004
Korea, Republic of		Dec. 29, 1978	Dec. 29, 1978
Laos		May 22, 2007	May 22, 2007
Lithuania		Nov. 25, 2008	Nov. 25, 2008
Luxembourg		June 10, 2005	June 10, 2005
Mali		Aug. 17, 2004	Aug. 17, 2004
Marshall Islands		June 1, 2006	June 1, 2006
Mauritania		Dec. 23, 2003	Dec. 23, 2003
Mexico ⁴⁸		June 30, 1949	June 30, 1949
Monaco ⁵³		Mar. 15, 1982	Mar. 15, 1982
Mongolia		May 16, 2002	May 16, 2002
Morocco		Feb. 12, 2001	Feb. 12, 2001
Nauru		June 15, 2005	June 15, 2005
Netherlands ^{5, 7, 49}	Nov. 10, 1948	May 4, 1962 ⁶ June 14, 1977 ^{8, 21}	Nov. 10, 1948 May 4, 1962 June 14, 1977
New Zealand ^{9, 55}	Aug. 2, 1949	June 15, 1976	Aug. 2, 1949 June 15, 1976
Nicaragua		June 5, 2003	June 5, 2003
Norway ^{10, 13, 54}	Mar. 3, 1948	Sept. 23, 1960 ^{11, 12}	Nov. 10, 1948 Sept. 23, 1960

Status of Whaling Convention

Government	Date of deposit of instrument of ratification	Date of receipt of notification of adherence	Date of entry into force
Oman		July 15, 1980	July 15, 1980
Palau		May 8, 2002	May 8, 2002
Panama ¹⁴		Sept. 30, 1948 June 12, 2001	Nov. 10, 1948 June 12, 2001
Peru ⁵¹		June 18, 1979 ^{16, 24, 26}	June 18, 1979
Poland		Apr. 17, 2009	Apr. 17, 2009
Portugal ⁶⁰		May 14, 2002	May 14, 2002
Romania		Apr. 9, 2008	Apr. 9, 2008
Russian Federation ³⁶	Sept. 11, 1948		Nov. 10, 1948
Saint Kitts and Nevis		June 24, 1992	June 24, 1992
Saint Lucia		June 29, 1981	June 29, 1981
Saint Vincent and the Grenadines		July 22, 1981	July 22, 1981
San Marino ⁵²		Apr. 16, 2002	Apr. 16, 2002
Senegal		July 15, 1982	July 15, 1982
Slovak Republic		Mar. 22, 2005	Mar. 22, 2005
Slovenia		Sept. 20, 2006	Sept. 20, 2006
Solomon Islands ³¹		May 10, 1993 ³¹	May 10, 1993 ³¹
South Africa	May 5, 1948		Nov. 10, 1948
Spain		July 6, 1979	July 6, 1979
Suriname		July 14, 2004	July 14, 2004
Sweden ^{15, 40}		Jan. 28, 1949 June 15, 1979	Jan. 28, 1949 June 15, 1979
Switzerland		May 29, 1980	May 29, 1980
Tanzania		June 23, 2008	June 23, 2008
Togo		June 15, 2005	June 15, 2005

Status of Whaling Convention

Government	Date of deposit of instrument of ratification	Date of receipt of notification of adherence	Date of entry into force
Tuvalu		June 30, 2004	June 30, 2004
United Kingdom of Great Britain and Northern Ireland ⁴¹	June 17, 1947		Nov. 10, 1948
United States of America ⁵⁸	July 18, 1947		Nov. 10, 1948
Uruguay ³²		July 15, 1981 Sept. 27, 2007	July 15, 1981 Sept. 27, 2007
<hr/> <i>Former Parties to the Convention:</i>			
Canada ²⁰	Feb. 25, 1949		Feb. 25, 1949
Egypt ³⁰		Sept. 18, 1981	Sept. 18, 1981
Jamaica		July 15, 1981 ²⁵	July 15, 1981
Mauritius ²⁷		June 17, 1983	June 17, 1983 ²⁷
Philippines ²⁸		Aug. 10, 1981	Aug. 10, 1981
Seychelles ³⁷		Mar. 19, 1979	Mar. 19, 1979
Venezuela ³⁸		July 11, 1991	July 11, 1991

1. (a) The Argentine instrument of ratification contains the following statement designated as a reservation:
"Se deja expresa constancia de que si otra Parte Contratante, de acuerdo con los términos del artículo 1, inciso 2 y el artículo IX, inciso 1, 3 y 4, de la Convención referida; y el artículo 1º, punto b), del Reglamento adjunto a la misma, o disposiciones concordantes, extendiera la aplicación de la Convención o del Reglamento a territorios que pertenecen a la Soberanía de la República Argentina tales como las islas Malvinas, islas Georgias del Sud, islas Sandwich del Sud y el Sector Antártico Argentino, tal extensión en nada afectará sus derechos."

(b) The British Ambassador informed the Secretary of State by a note dated August 12, 1960, as follows:

"The [Argentine] instrument contained a statement, designated as a reservation, which refers to the Falkland Islands under the incorrect designation 'Islas Malvinas' and to alleged Argentine sovereignty over these islands and the Falkland Islands Dependencies, including South Georgia and the South Sandwich Islands.

"Her Majesty's Ambassador has been instructed to request the United States Government to inform all Contracting Governments that the Falkland Islands and the Falkland Islands Dependencies are, and remain, under the sovereignty of Her Majesty; and that Her Majesty's Government do not admit the claim of the Argentine Government to sovereignty over any part of these territories."

(c) The Secretary of State informed the Argentine Ambassador by a note dated September 14, 1960, as follows:

"My Government wishes to point out, as it has on previous occasions, that it does not recognize any of the claims of sovereignty which have been asserted over territory in Antarctica and that it reserves all of the rights of the United States of America with respect to the area."

(d) With reference to the views expressed in the British Ambassador's note dated August 12, 1960, to the Secretary of State, the Secretary informed the British Chargé d'Affaires ad interim by a note dated October 6, 1960, as follows:

"In as much as it is understood that the Government of the United Kingdom considers the 'Falkland Islands Dependencies' to include a portion of Antarctica, the Secretary of State wishes to point out, as has been done by his Government on previous occasions, that the Government of the United States of America does not recognize any of the claims of sovereignty which have been asserted over territory in Antarctica and that it reserves all of the rights of the United States of America with respect to the area."

2. By a note dated December 27, 1965, to the Secretary of State, the Brazilian Chargé d'Affaires ad interim gave notice of Brazil's withdrawal from the Convention, to be effective June 30, 1966.

3. The Brazilian adherence applies to the Convention as amended by the 1956 Protocol.

4. By a note dated February 6, 1959, to the Secretary of State, the Japanese Ambassador gave notice of Japan's withdrawal from the Convention, to be effective June 30, 1959.

The Japanese Ambassador informed the Secretary of State by a note dated June 29, 1959, that "the Government of Japan hereby cancels the above notice of withdrawal."

5. By a note dated December 31, 1958, to the Secretary of State, the Netherlands Ambassador gave notice of the Netherlands withdrawal from the Convention, to be effective June 30, 1959.

6. The Netherlands adherence applies to the Convention as amended by the 1956 Protocol.

7. By a note dated December 24, 1969, to the Secretary of State, the Netherlands Ambassador gave notice of the Netherlands' withdrawal from the Convention, to be effective June 30, 1970.
8. The notification of adherence by the Netherlands states that the Convention and the 1956 Protocol will apply to the Kingdom in Europe.
9. By a note dated October 1, 1968, to the Secretary of State, the New Zealand Ambassador gave notice of New Zealand's withdrawal from the Convention, to be effective June 30, 1969.
10. By a note dated December 29, 1958, to the Secretary of State, the Norwegian Ambassador gave notice of Norway's withdrawal from the Convention, to be effective June 30, 1959.
11. The Norwegian adherence applies to the Convention as amended by the 1956 Protocol.
12. The Norwegian Ambassador informed the Secretary of State by a note dated September 23, 1960, that "the continued adherence of the Norwegian Government to the Convention is dependent upon the following conditions being fulfilled: 1) that the Government of the Netherlands adheres to the Convention, 2) that the Government of the Union of Soviet Socialist Republics maintains its pledge of November 1958 to limit the catch of the Soviet expeditions' share of the total quota established by the International Whaling Commission to 20 percent annually for a seven year period, 3) that an agreement is reached within reasonable time on the division of the remaining 80 percent of the total quota between Norway, Japan, the Netherlands and the United Kingdom. The Norwegian Government at the same time wishes to emphasize the vital importance of reaching an agreement between the countries engaged in Pelagic Whaling in Antarctic Waters on an International Inspection System for the observance of the regulations drawn up by the International Whaling Commission."
13. By a note dated December 29, 1961, to the Secretary of State, the Norwegian Ambassador gave notice of Norway's withdrawal from the Convention, to be effective June 30, 1962.

A note was received on June 6, 1962, from the Norwegian Ambassador, canceling the notification of withdrawal dated December 29, 1961.
14. By a note dated July 2, 1968, to the Secretary of State, the Panamanian Ambassador gave notice of Panama's withdrawal from the Convention, to be effective June 30, 1969.

A note was received on June 13, 1969, from the Panamanian Ambassador, canceling the notification of withdrawal dated July 2, 1968.

By a note dated November 16, 1977, the Embassy of Panama gave notice to the Department of State of Panama's withdrawal from the Convention to be effective June 30, 1978.

A note dated June 26, 1978, was received from the Embassy of Panama informing the Department of State of the Government of Panama's decision to remain a party to the Convention and, consequently, of the withdrawal of its notice of November 16, 1977.

By a note February 7, 1979, the Embassy of Panama gave notice of Panama's withdrawal from the Convention. The withdrawal became effective on June 30, 1980.
15. By a note dated December 17, 1963, to the Secretary of State, the Swedish Ambassador gave notice of Sweden's withdrawal from the Convention, to be effective June 30, 1964.

By a note dated June 12, 1979, the Ambassador of Sweden gave notice of the decision of the Swedish Government to adhere to the Convention. The Ambassador's note was received by the United States Government on June 15, 1979.

16. Ratification by Peru accompanied by a statement "that this cannot be interpreted as detrimental to or restrictive of the sovereignty and jurisdiction which Peru exercises up to a limit of two hundred miles off its coast."
17. Ratification by Chile includes the reservation that none of the provisions of the Convention could affect or restrict the sovereign rights of Chile in its Maritime Zone of 200 miles.
18. The notification of adherence by the Government of the People's Republic of China contains a declaration, the text of which, in translation, reads as follows:

". . . the Chinese Government declares illegal and null and void the recognition of and application to accede to the above Convention by the Taiwan authorities in the name of China."
19. By note of June 1, 1981, Costa Rica retracted its notification of adherence pending completion of legislative procedures.
20. By a note of June 24, 1981, the Secretary of State for External Affairs of Canada gave notice of Canada's withdrawal from the Convention effective June 30, 1982.
21. Declaration received February 16, 1982, from Minister of Foreign Affairs of the Kingdom of the Netherlands stating that the application of the Convention and 1956 Protocol is extended to the Netherlands Antilles. As of January 1, 1986, Aruba as a separate entity.
22. Adherence by the Government of the Federal Republic of Germany accompanied by a Declaration that the convention and protocol shall also apply to Berlin (West) with effect from the date on which they enter into force for the Federal Republic of Germany.
23. By a note dated June 15, 1982, the Ministry of External Affairs of the Commonwealth of Dominica gave notice of Dominica's withdrawal from the Convention effective June 30, 1983.
24. By a note dated May 27, 1983, from the Ambassador of the Federal Republic of Germany, a formal objection was placed on record to the statement made by Peru on June 18, 1979, on ratifying the Convention.
25. By a notification dated September 2, 1983, the Minister of Foreign Affairs of Jamaica gave notice of Jamaica's withdrawal from the Convention. The withdrawal became effective on June 30, 1984.
26. By note of March 1, 1984, from the British Ambassador, the Government of the United Kingdom of Great Britain and Northern Ireland stated that it "considers that the claim by the Government of Peru that Peru exercises unrestricted sovereignty and jurisdiction to a limit of two hundred miles off its coasts has no validity under international law."
27. By note of August 27, 1987, the Ambassador of Mauritius gave notice of withdrawal from the Convention by the Government of Mauritius. The withdrawal became effective on June 30, 1988.
28. By note of December 3, 1987, the Embassy of the Philippines gave notice of withdrawal from the Convention by the Government of the Philippines. The withdrawal became effective on June 30, 1988.
29. By note of December 30, 1987, the Ambassador of Belize gave notice of withdrawal from the Convention by the Government of Belize. The withdrawal became effective on June 30, 1988.

30. By note dated November 29, 1988, the Embassy of the Arab Republic of Egypt gave notice of withdrawal from the Convention. The withdrawal became effective June 30, 1989.
31. Solomon Islands deposited an instrument of adherence to the Convention on July 18, 1985. By note dated November 9, 1989, the Ministry of Foreign Affairs of the Solomon Islands gave notice of withdrawal from the Convention. The withdrawal became effective June 30, 1990. An instrument of adherence was received on May 10, 1993, from the Solomon Islands.
32. By note of October 15, 1990, the Embassy of Uruguay gave notice of Uruguay's withdrawal from the Convention. The withdrawal became effective on June 30, 1991.
33. Instrument of adherence contains a reservation which, in translation, reads as follows:
"None of its provisions may affect or diminish the sovereign rights which Ecuador holds, has exercised, and exercises over its 200 nautical mile territorial sea, both insular and continental."

Objections to this reservation received from USG, Russian Federation, and the Federal Republic of Germany. Notes attached at Tab A.
34. By note of December 27, 1991, the Embassy of Iceland gave notice of Iceland's withdrawal from the Convention effective June 30, 1992.
35. By note of December 8, 1993, the Embassy of Ecuador gave notice of Ecuador's withdrawal from the Convention effective June 30, 1994.
36. By note of June 25, 1992, the Embassy of the Russian Federation in London informed the International Whaling Commission that the membership of the Union of Soviet Socialist Republics in the International Convention for the Regulation of Whaling is continued by the Russian Federation and that the name "The Russian Federation" should be used.
37. By note of April 18, 1994, received by USG on June 3, 1994, the Government of Seychelles informed the Embassy in Victoria of its intention to withdraw from the Convention. The withdrawal became effective on June 30, 1995.
38. By a notification dated February 18, 1998, the Government of Venezuela informed the Department of State of its intention to withdraw from the Convention. The withdrawal became effective on June 30, 1999.
39. On June 8, 2001, Iceland deposited an instrument of adherence to the Whaling Convention and the 1956 Protocol thereto which contains a reservation to Paragraph 10 (e) of the Convention's Schedule. In performance of its depositary function, the United States, in a circular note dated June 11, 2001, informed the parties to the Whaling Convention of Iceland's action. On July 22, 2001, at the 53rd meeting of the International Whaling Commission, the Commission decided (by a vote of 19 in favor, none opposed, 3 abstentions and 16 states not participating) not to accept Iceland's reservation. A subsequent vote of the Commission decided to continue to recognize Iceland as an observer (by a vote of 18 in favor, 16 opposed and 4 abstentions).

On May 14, 2002, Iceland deposited another instrument of adherence to the Whaling Convention and the 1956 Protocol thereto which contains a reservation to Paragraph 10 (e) of the Convention's Schedule identical to the reservation Iceland had included in the instrument of adherence it deposited on June 8, 2001. Included in this instrument is a statement which reads as follows from the English translation provided by Iceland:

Notwithstanding the aforementioned reservation, the Government of Iceland will not authorize whaling for commercial purposes by Icelandic vessels while progress is being made in negotiations within the International

Whaling Commission on the Revised Management Scheme. This does not apply, however, in case of the so-called moratorium on whaling for commercial purposes, contained in paragraph 10 (e) of the Schedule, not being lifted within reasonable time after the completion of the Revised Management Scheme.

Under no circumstances will whaling for commercial purposes be authorized in Iceland without a sound scientific basis and an effective management and enforcement scheme.

The depositary communicated Iceland's action to the members of the International Whaling Commission attending its 54th meeting in Shimonoseki, Japan. On May 20, 2002, the Commission decided (by a 25-20 vote) to uphold the Chairman's ruling that he was bound by the decisions not to accept Iceland's reservation and to recognize Iceland as an observer which were taken at the 53rd meeting of the International Whaling Commission.

On October 10, 2002, Iceland deposited another instrument of adherence to the Whaling Convention and the 1956 Protocol thereto which contains a reservation to Paragraph 10 (e) of the Convention's Schedule identical to the reservation Iceland had included in the instruments of adherence to the Convention it deposited on June 8, 2001 and May 14, 2002. Included in this instrument is a statement which reads as follows from the English translation provided by Iceland:

Notwithstanding this [reservation], the Government of Iceland will not authorize whaling for commercial purposes by Icelandic vessels before 2006 and, thereafter, will not authorize such whaling while progress is being made in negotiations within the International Whaling Commission on the Revised Management Scheme. This does not apply, however, in case of the so-called moratorium on whaling for commercial purposes, contained in paragraph 10 (e) of the Schedule, not being lifted within reasonable time after the completion of the Revised Management Scheme.

Under no circumstances will whaling for commercial purposes be authorized in Iceland without a sound scientific basis and an effective management and enforcement scheme.

The depositary communicated Iceland's action to the members of the International Whaling Commission attending its Fifth Special Meeting in Cambridge, United Kingdom on October 14, 2002. In a challenge vote to the Chairman's ruling that he was bound by the decisions not to accept Iceland's reservation and to recognize Iceland as an observer, taken at the 53rd Meeting of the Commission, the Commission decided (by a 19-18 vote) not to uphold that ruling.

40. By note dated November 26, 2002, and received on November 27, 2002, the Government of Sweden objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
41. By note dated December 5, 2002, and received on December 16, 2002, the United Kingdom of Great Britain and Northern Ireland objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
42. By note dated December 13, 2002, and received on January 7, 2003, France objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
43. By note dated February 3, 2003, and received on that same date, Germany objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
44. By note dated December 6, 2002, and received on February 5, 2003, Italy objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002. The objection by Italy states in relevant part: "... that Iceland, because of its reservation, may not be regarded as a party to the Convention nor a member of the IWC."

45. By note dated February 5, 2003, and received on that same date, Australia objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
46. By note dated January 31, 2003, and received on February 5, 2003, Brazil objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
47. By note dated February 6, 2003, and received on that same date, Argentina objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
48. By note dated February 10, 2003, and received on February 14, 2003, Mexico objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002. The objection by Mexico states in relevant part: "... because of its reservation, Iceland will not be regarded as a party to the Convention, nor as a member of the International Whaling Commission (IWC), insofar as Mexico is concerned."
49. By note dated February 12, 2003, and received on February 26, 2003, the Netherlands objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
50. By note dated February 4, 2003, and received on March 6, 2003, Spain objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
51. By note dated March 5, 2003, and received on March 11, 2003, Peru objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
52. By note dated March 13, 2003, and received on March 17, 2003, the Department of Foreign Affairs of the Republic of San Marino objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
53. By note dated February 13, 2003, and received on March 24, 2003, the Department of Foreign Relations of the Principality of Monaco objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.
54. By note dated March 25, 2003, and received on March 26, 2003, the Royal Norwegian Embassy communicated the position of the Norwegian Government regarding Iceland's membership in the International Whaling Commission. The note reads in relevant part as follows:

"The position of the Norwegian Government is that the competent body of the International Whaling Commission (IWC) has already made a decision with regard to Iceland's adherence to the IWC, with binding effect for all IWC Parties, and in accordance with the principle of Art. 20 Para. 3 of the Vienna Convention on the Law of Treaties of 23 May 1969. The decision of the 5th Special Meeting of the IWC on 14 October 2002 to accept Iceland's adherence obliges all IWC Members to fully recognize Iceland as a Member of the IWC with such reservations as have been made, and Norway will consider any and all objections to this decision to be without legal consequence.

"The Government of Norway undertakes to act in accordance with the said decision, and will oppose attempts to question its legitimacy."

55. By note dated April 17, 2003, and received on April 23, 2003, the Embassy of New Zealand communicated the position of the Government of New Zealand regarding the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002. The note reads in relevant part as follows:

“It is the view of the Government of New Zealand that the reservation is not permitted by the Convention. Further, the Government of New Zealand considers that the reservation is incompatible with the object and purpose of the Convention and is without legal effect. Accordingly, New Zealand does not accept the Convention as being in force between New Zealand and Iceland.”

56. By note dated May 6, 2003, and received on May 23, 2003, the Ministry of Foreign Affairs of the Republic of Chile objected to the reservation contained in Iceland's instrument of adherence of October 10, 2002. The objection by Chile reads in relevant part as follows: “The Government of Chile would like to express its objection with respect to the . . . reservation, declaring that it constitutes an untimely presentation of an amendment to the Schedule or Annex of the Convention approved by the International Whaling Commission in 1986, which is inadmissible.” [Non-official translation provided by the Ministry of Foreign Affairs of Chile]

57. By note dated May 15, 2003, and received on May 30, 2003, the Government of Finland objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.

58. By circular note dated May 27, 2003, the United States of America, in its capacity as a party to the Convention, objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002.

59. By note dated May 19, 2003, and received on June 4, 2003, the Ministry for Foreign Affairs of Iceland communicated its views regarding the objection by Sweden to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002. The note from the Ministry for Foreign Affairs of Iceland reads in relevant part:

“The . . . Note [from the Embassy of Sweden] states that the objection by the Government of Sweden shall not preclude the entry into force of the Convention between Iceland and Sweden. However, the Note also contains the following conclusion: ‘The Convention enters into force in its entirety without Iceland benefiting from its reservation.’

“This conclusion is without foundation in international law. According to Article 21, paragraph 3, of the Vienna Convention on the Law of Treaties, which reflects customary international law, ‘[w]hen a State objecting to a reservation has not opposed the entry into force of the treaty between itself and the reserving State, the provisions to which the reservation relates do not apply as between the two States to the extent of the reservation.’

“Accordingly, the International Convention for the Regulation of Whaling is in force between Iceland and Sweden with the exception of paragraph 10 (e) of the Schedule attached to the Convention, to which the reservation of Iceland relates.”

60. By note dated May 15, 2003, and received on June 16, 2003, the Government of Portugal objected to the reservation contained in Iceland's instrument of adherence deposited on October 10, 2002. The note reads in relevant part as follows:

“When paragraph 10 (e) of the schedule was adopted (1982), Iceland was a party to the Whaling Convention and did not present any objection to it, as it could have done within the 90-day deadline and under the procedures set forth in Art. V. paragraph 3, of the Convention.

“Portugal considers that the reservation is not compatible with the object and purpose of the Whaling Convention and therefore objects to the reservation made by the Government of the Republic of Iceland with respect to paragraph 10 (e) of the Schedule attached to the Convention.

“Nevertheless, it is our understanding that the remainder of the Convention may [enter] into force between Iceland and Portugal.”

Department of State,
Washington, May 24, 2012.